

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
FOXMIND CANADA ENTERPRISES LTD., :
:
Plaintiff, :
: 22-CV-0885 (VSB)
- against - :
: **ORDER**
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BADOYU INTELLIGENT IOT :
TECHNOLOGY (SUZHOU) CO., et al., :
:
Defendants. :
:
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VERNON S. BRODERICK, United States District Judge:

On December 7, 2022, I stayed this matter pending resolution of *Smart Study Co., LTD v. Acuteye-US*, No. 22-1810 (2d Cir. Aug. 18, 2022) (“*Smart Study*”). (Doc. 58.) I further directed that within seven days of the Second Circuit’s decision in *Smart Study*, Plaintiff should file a letter providing a status update on this case, including whether the stay should be lifted and whether further judicial intervention is needed. On May 3, 2023, the Court of Appeals entered a summary order and judgment finding that it lacked jurisdiction over the appeal. *Smart Study*, Doc. 99. The mandate issued on May 24, 2023. *Id.*, Doc. 104. To date, Plaintiff has not filed a letter discussing the implications of *Smart Study* for this action. Accordingly, Plaintiff shall file the letter directed by my order at Doc. 58 by September 22, 2023.

SO ORDERED.

Dated: September 13, 2023
New York, New York



Vernon S. Broderick
United States District Judge